

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

STATE OF WASHINGTON,

Plaintiff,

v.

LANDMARK TECHNOLOGY A, LLC,

Defendant.

Case No. 21-728RSM

ORDER GRANTING MOTION TO
WITHDRAW AS COUNSEL

This matter comes before the Court on a Motion to Withdraw filed by counsel of record for Defendant Landmark Technology A, LLC. Dkt. #29. Defense counsel requests relief under Local Rule 83.2(b) because “the Firm’s sole client contact with Landmark has not responded to the Firm for over a month” and because Landmark has “not complied with its obligations under the Firm’s Engagement Agreement.” *Id.* at 1. Plaintiff State of Washington takes no position on this Motion, but stresses that withdrawal would leave Landmark without counsel.

Defense counsel has satisfied the procedural requirements of Local Rule 83.2(b). Counsel has certified service of their Motion on opposing counsel and Defendant as required. *See* Dkt. #30. Under Local Rule 83.2(b)(3), a business entity, except a sole proprietorship, must be represented by counsel, and the withdrawing counsel must advise their client of this rule and the consequences of their withdrawal. Plaintiffs’ counsel states, “the Firm advised Landmark that under the Court’s Local Civil Rules, as a limited liability company, it must be represented by counsel and that failure to obtain a replacement attorney by the date that the

1 withdrawal becomes effective may result in an entry of default against Landmark.” Dkt. #29 at
2 5 (citing a declaration). The Court notes that new counsel has not appeared in this matter after
3 several months, nor has the Court been informed of any progress on that front.

4 Defense counsel has provided substantial evidence to support their request. An attorney
5 who requests withdrawal will ordinarily be permitted to do so “until sixty days before the
6 discovery cut off date in a civil case...” LCR 83.2(b)(1).
7

8 The Court has reviewed the record and finds good cause for the withdrawal of
9 Defendant’s counsel as individual attorneys and the firm in general. The Court is satisfied that
10 Defendant has been adequately informed of the reasons for withdrawal and the necessity to
11 obtain new counsel.
12

13 Accordingly, having reviewed the relevant briefing and the remainder of the record, the
14 Court hereby finds and ORDERS that Defendant’s Counsel’s Motion to Withdraw (Dkt. #29) is
15 GRANTED. The Court directs that Defendant’s counsel and the law firm be terminated.
16 Defendant is currently without counsel and must have new counsel enter an appearance **no**
17 **later than 30 days from the date of this Order.** Defense Counsel is DIRECTED to mail and
18 e-mail Defendant a copy of this Order. All further correspondence to Defendant shall be sent
19 to the following address:
20

21 Raymond Mercado, Ph.D.
22 Landmark Technology A, LLC
23 219 Billingsrath Turn Lane
Cary, NC 27519

24 DATED this 14th day of October, 2022.
25

26 

27 RICARDO S. MARTINEZ
28 UNITED STATES DISTRICT JUDGE